

BOARD OF APPEAL REFERRALS

December 8, 1983

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MEMORANDUM

December 8, 1983

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 12/13/83

Z-6491
Annie Leeder
400 Stuart Street, Boston
at Clarendon Street

Parking lot

District(s): apartment _____ general business B-8 _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: continue use - 60 cars.

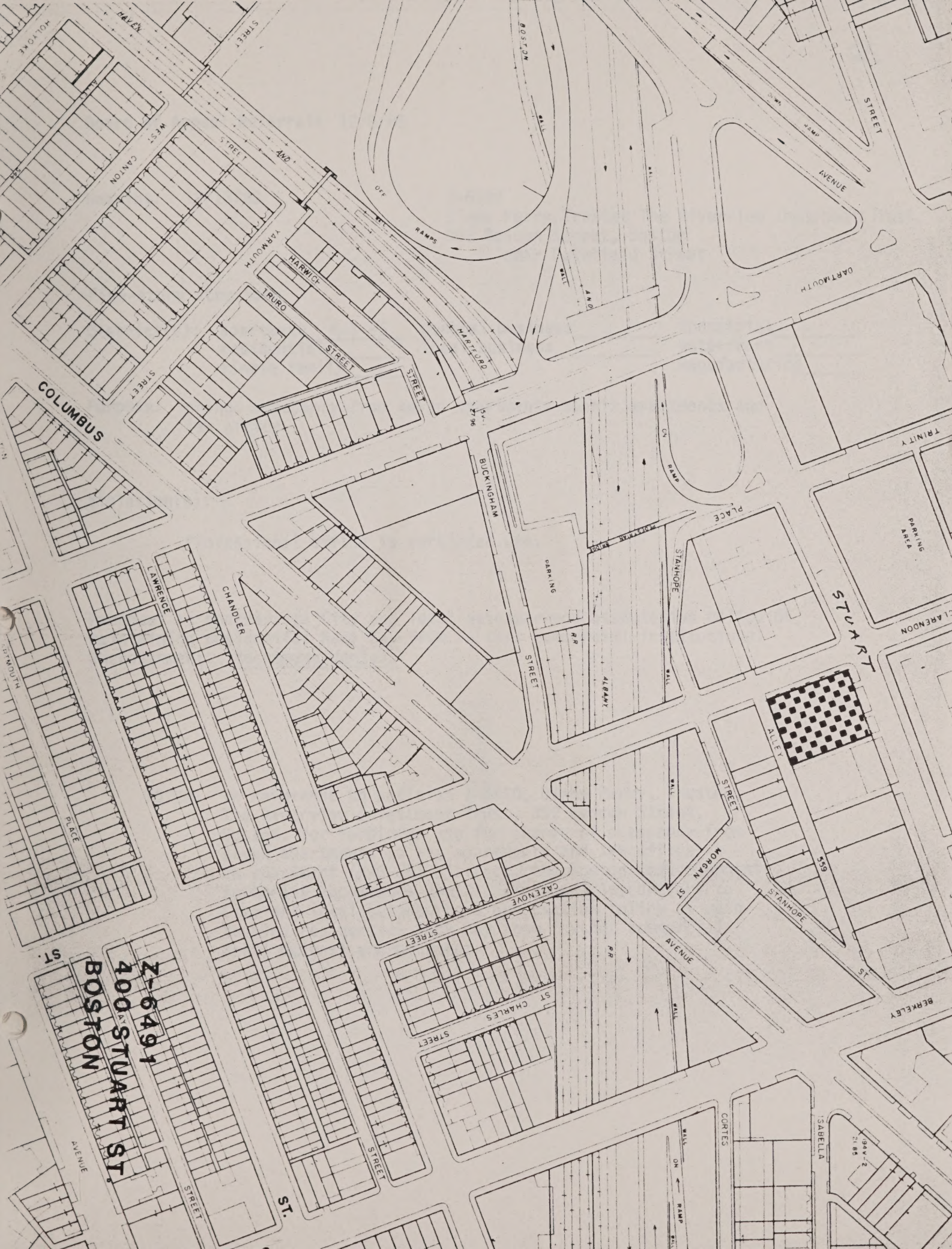
Violation(s):

In variance with former decision of Board of Appeal.

Parking lot is conditional in restricted parking district.

In 1976 and 1980, Authority recommended approval of use for three years, and Board of Appeal concurred. Recommend approval with provisos.

VOTED: In reference to petition Z-6491, Annie Leeder, 400 Stuart Street, Boston, for a conditional use and a variance to continue use of parking lot in a general business (B-3) district, the Boston Redevelopment Authority recommends approval with following provisos: that use terminate at end of three years; that lot be maintained free of debris.



Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6520

Diane Perry, Trustee The Riverview Investment Trust
352 Beacon Street, Boston
near Fairfield Street

Five-story structure

District(s): apartment H-3-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from seven apartments to six apartments and law office.

Violation(s):

Professional office is forbidden use.

Proposal is contrary to City and local neighborhood association policy of maintaining residential Back Bay from further commercial-institutional encroachment. Recommend denial.

VOTED: In reference to petition Z-6520, Diane Perry, Trustee, The Riverview Investment Trust, 352 Beacon Street, Boston, for forbidden use for change of occupancy from seven apartments to six apartments and law office in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends denial. Proposal is contrary to City and local neighborhood association policy of maintaining residential Back Bay from further commercial-institutional encroachment



LAGOON

STORRUM

DRIVE

STREET

FAIRFIELD

STREET

GLoucester

MEMORIAL

STORRUM

HEREFORD

BEACON

MARLBORO

Z-6520

352 - BEACON ST.

BOS.

AVENUE

COMMONWEALTH

STREET

COMMONWEALTH

STREET

STREET

STREET

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6523
 Boston Indian Council, Inc.
 107 Fisher Avenue, Roxbury
 near Bucknam Street

Four-story structure

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: increase capacity of halfway house for alcoholics from 16 to 20
 beds.

Violation(s):

Group care residence general is conditional use.

In 1978, Authority recommended approval of noncustodial halfway house, and Board of Appeal concurred. Additional capacity has support of Division of Alcoholism and is allowable under Determination of Need guidelines. No apparent adverse impact and no response from abutters. Recommend approval with provisos.

VOTED: In reference to petition Z-6523, Boston Indian Council, Inc., 107 Fisher Avenue, Roxbury, for conditional use to increase capacity of halfway house for alcoholics from 16 to 20 beds in a residential (R-.3) district, the Boston Redevelopment Authority recommends approval with following provisos: that use be granted subject to arrangements with City of Boston for payments in lieu of taxes; that use extend only to Boston Indian Council as halfway house for alcoholics.



2-6523
107 FISHER AVE.
ROXBURY

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6541
Suffolk University
148 Cambridge Street, Boston
at Ridgeway Lane

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-2 waterfront _____
single family _____ manufacturing _____

Purpose: erect 4½-story structure.

Violation(s):

Degree granting university is conditional use.

Floor area ratio is excessive.

Rear yard, side and rear setback of parapet, and off-street parking are insufficient.

Proposed bookstore, student rooms, offices, and gymnasium facility will replace former supermarket structure, which housed similar activities except for gymnasium. Beacon Hill Civic Association committee has reviewed progress plans with Suffolk University from time to time, but is still opposed to the building height and the gymnasium use. Applicant should continue to negotiate with the community to arrive at an equitable solution. Recommend denial without prejudice.

VOTED: In reference to petition Z-6541, Suffolk University, 148 Cambridge Street, Boston, for a conditional use and five variances to erect a 4½-story structure in a local business (L-2) district, the Boston Redevelopment Authority recommends denial without prejudice. Beacon Hill Civic Association is opposed to the building height and the gymnasium use. Appellant should continue to negotiate with the community to arrive at an equitable solution.



CAMBRIDGE

148 CAMBRIDGE ST.

Z-6541

DEMERSON SQUARE

HOUSE

MASSACHUSETTS UNITED SERVICES

MASSACHUSETTS UNITED SERVICES

FORD MALL

148

CAMBRIDGE ST.

COUNTY COURT

ST.

PLAZA

MASSACHUSETTS UNITED SERVICES

MASSACHUSETTS UNITED SERVICES

MASSACHUSETTS UNITED SERVICES

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Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6552
Cynthia Alexis
7 Stanley Street, Dorchester
near Bellevue Street

2½-story structure

District(s): apartment _____ general business _____ industrial _____
residential R-.8 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from two-family dwelling to one-family dwelling
and boarding house.

Violation(s):

Boarding house is conditional use.

Lot area is insufficient.

Facility would accommodate eight former adult mental patients. Site is inappropriate and represents a duplication of services; a group care residence for ten mentally ill persons presently exists at 59 Stanley Street. Neighborhood residents are adamantly opposed. Recommend denial.

VOTED: In reference to petition Z-6552, Cynthia Alexis, 7 Stanley Street, Dorchester, for a conditional use and a variance for change of occupancy from two-family dwelling to one-family dwelling and boarding house in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate and represents a duplication of services; a group care residence for ten mentally ill persons presently exists at 59 Stanley Street. Neighborhood residents are adamantly opposed.



Z-6552

7 STANLEY ST.

DOR.

ST. PETERS
PAROCHIAL
SCHOOL
(E)

ROMAN
MEMORIAL
BLOG

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6562

Robert J. Denn

102 D Street, South Boston
near Old Colony Avenue

836 sq. ft. of land

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2

Purpose: erect four storage containers

Violation(s):

Outdoor storage of empty cans and bottles is forbidden use.

Rear yard is insufficient.

Site is inappropriate. Existing redemption center clutters area with bottles and cans, creating hazardous conditions for pedestrians, who must walk on street; intensifies traffic problem; and adversely impacts neighborhood. Recommend denial.

VOTED: In reference to petition Z-6562, Robert J. Denn, 102 D Street, South Boston, for a forbidden use and a variance to erect four storage containers in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate. Existing redemption center clutters area with bottles and cans, creating hazardous conditions for pedestrians, who must walk on street; intensifies traffic problem; and adversely impacts neighborhood.



DORCHESTER AVENUE

OLD

STREET

WEST

WILKINSON BARRY WAY

WAY

WEST

STREET

COLONY

WEST

STREET

SEVENTH

STREET

ST AUGUSTINE CONVENT

ST AUGUSTINE SCHOOL (E.L.)

LORING STREET

GRIMES STREET

HAIN STREET

EARL STREET

STREET

WEST

EWER

DANRELL

AVENUE

7-65662

102 D ST

S.B.

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6574

Northeastern University
288 St. Botolph Street, Boston
near Gainsborough Street

Two-story structure

District(s):	apartment <u>H-3</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: erect two-story addition to computer science center.

Violation(s):

Increase in conditional use.

Addition will provide College of Computer Science with elevator and new corridor access, enabling handicapped students to use second floor and basement facilities. Recommend approval with proviso.

VOTED: In reference to petition Z-6574, Northeastern University, 288 St. Botolph Street, Boston, for a conditional use to erect a two-story addition to computer science center in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval. Proposal will allow handicapped students to use basement and second-floor facilities.



WILLIAM E. CARP
288 ST. BOTOLPH ST.
BOS.

Z-6574

PLAYGROUND

TENNIS
COURTS

ST. BOTOLPH
STREET

WATSON
STREET

DILWORTH
STREET

NORTHAMPTON
STREET

ST. BOTOLPH
STREET

ST. BOTOLPH
STREET

OPERA
PL.

PARKING

PARKING

PARKING

PARKING

GAINSBOROUGH
ROAD

ST. BOTOLPH
STREET

SWANSON
STREET

MTA STATION

ALBEMARLE
STREET

MARTIN
STREET

ST. BOTOLPH
STREET

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STREET

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6575
Archie Holmes
765 Tremont Street, Boston
at West Springfield Street

3½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____L-2_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from five apartments and store to nine apartments.

Violation(s):

Dwelling converted for more families is forbidden use.

Floor area ratio is excessive.

Open space is insufficient.

Proposed conversion providing much needed rental units is compatible with local business—residential neighborhood. Recommend approval with proviso.

VOTED: In reference to petition Z-6575, Archie Holmes, 765 Tremont Street, Boston, for a forbidden use and two variances for change of occupancy from five apartments and store to nine apartments in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with proviso that plans be submitted to the Authority for design review approval.

Z-6575

765 TREMONT ST.

BOS.



Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6602-6603

John P., Jr., and Carol Ann Gately
11 Lorraine and 124 Beacon Streets,
Roslindale

11,190 sq. ft. of vacant land

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family <u>S-.5</u>		manufacturing_____

Purpose: erect two apartment structures - 3 and 2 units.

Violation(s):

Two-family dwelling is forbidden use.

Three-family dwelling is forbidden use

Parking not allowed within required front yard.

Number of stories is excessive.

Lot area, width, frontage, and rear yard are insufficient.

Amended

Last year Authority recommended denial without prejudice of petitioner's plan for five-unit row apartment structure, and Board of Appeal concurred.

Current proposal for townhouse condominium units is again totally inappropriate. Strong neighborhood opposition exists. Petitioner should meet with community to resolve a compatible residential use. Recommend denial without prejudice.

VOTED: In reference to petitions Z-6602-6603, John P., Jr., and Carol Ann Gately, 11 Lorraine and 124 Beacon Streets, Roslindale, for two forbidden uses and ten variances to erect two apartment structures in single-family and residential (S-.5 and R-.5) districts, the Boston Redevelopment Authority recommends denial without prejudice. Current proposal for townhouse condominium units is again toally inappropriate. There is strong neighborhood opposition. Petitioner should meet with community to resolve a compatible residential use.



Z-6602-6603

11 LORRAINE ST

124 BEECH ST

ROS.

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6614

Walter K. Wojtakinski
400 C Street, South Boston
near Claflin Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____ I-2
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

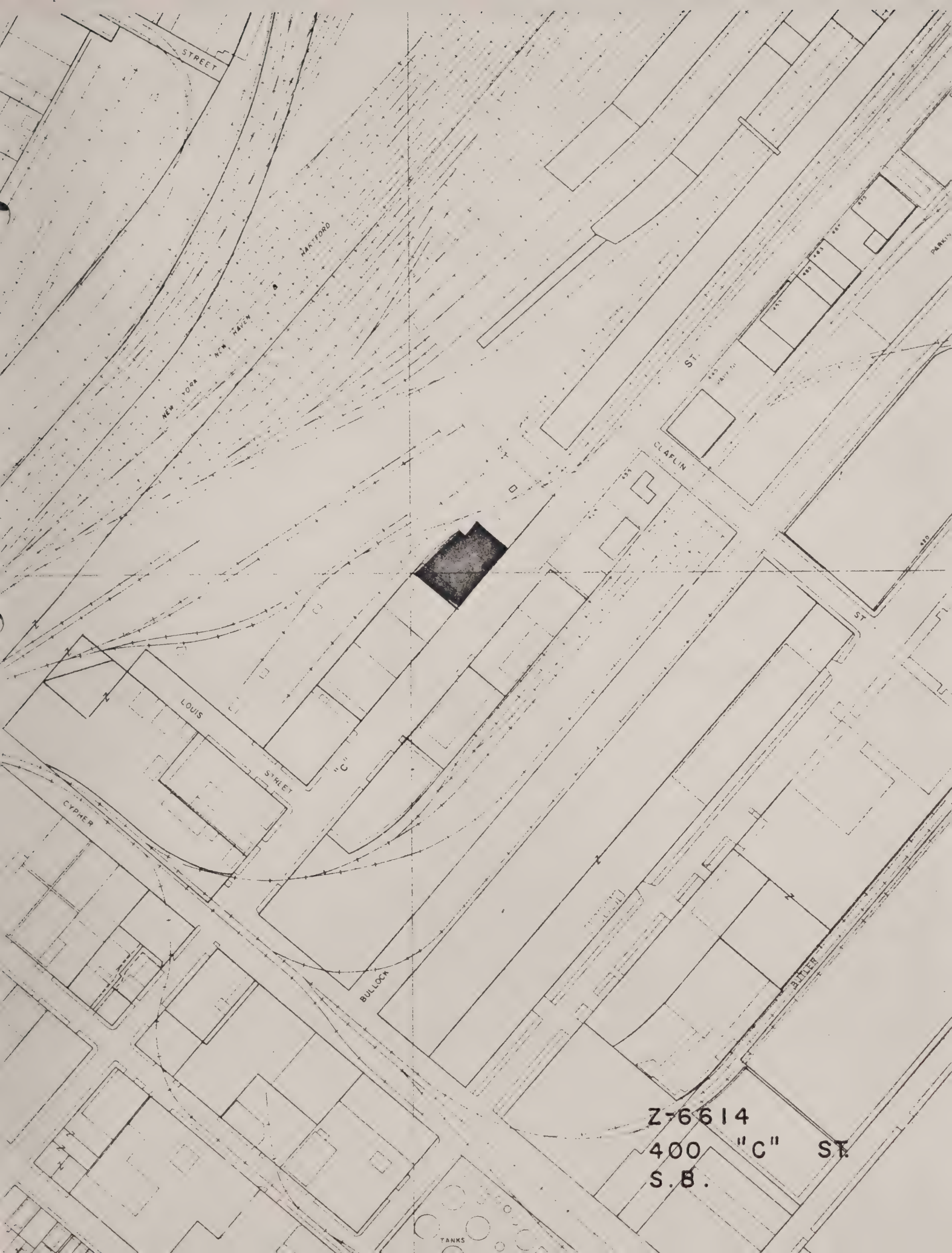
Purpose: erect one-story addition to packing plant.

Violation(s):

Rear yard is insufficient.

Area is predominantly industrial. Roof addition will provide accessory storage space. Violation is existing and technical. Recommend approval.

VOTED: In reference to petition Z-6614, Walter K. Wojtakinski, 400 C Street, South Boston, for a variance to erect a one-story addition to a packing plant in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval. Area is predominantly industrial. Roof addition will provide accessory storage space. Violation is existing and technical.



Z-6614

400 "C" ST.

S.B.

TANKS

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6617

Clifford White, Trustee
95 Brighton Avenue, Allston
at Linden Street

One-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business L-1 waterfront _____
single family _____ manufacturing _____

Purpose: erect one-story addition to car rental agency.

Violation(s):

Rental agency is forbidden use.

Change in nonconforming use.

Second-story addition will provide more office space for the car rental agency. Recommend approval with proviso.

VOTED: In reference to petition Z-6617, Clifford White, Trustee, 95 Brighton Avenue, Allston, for a forbidden use and a change in nonconforming use to erect one-story addition to car rental agency in a local business (L-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the addition be used only for car rental agency; that only ten cars be stored on 95 Brighton Avenue lot and other cars, not to exceed 25, be stored on abutting Linden Street lot; and that plans including landscaping be submitted to the Authority for design review approval.

Z-6617
95 BRIGHTON AVE.
(ALLSTON)



Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6619
 Bell Realty Trust
 218 Lincoln Street, Allston
 near Everett Street

Vacant land

District(s): apartment _____ general business _____ industrial _____
 residential R-.8 _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: erect repair garage structure.

Violation(s):

Repair garage is forbidden use.

Side and rear yards are insufficient.

Garage for repair of contractors' equipment would have an adverse impact on residential properties and would generate further commercial traffic. Abutters are opposed. Recommend denial.

VOTED: In reference to petition Z-6619, Bell Realty Trust, 218 Lincoln Street, Allston, for a forbidden use and two variances to erect a repair garage structure in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Garage for repair of contractors' equipment would have an adverse impact on residential properties and would generate further commercial traffic.

218 LINCOLN ST.
(BRI.)

Z-6619



Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6631

Tu Minh

47 Boardman Street, East Boston
near Ashley Street

One-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential R-.8 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: erect one-story addition to one-family dwelling.

Violation(s):

Side hard is insufficient.

Rear addition (15' x 20') will be used as a living room. No neighborhood response. Recommend approval.

VOTED: In reference to petition Z-6631, Tu Minh, 47 Boardman Street, East Boston, for a variance to erect a one-story addition to a one-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. Rear addition to be used as living room. No increase in yard deficiency.



Z-6631
47 BOARDMAN ST.
E.B.

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6638
Robert Deeb
269-271 Shawmut Avenue, Boston
at Hanson Street

Four-story structure

District(s): apartment H-3 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: change occupancy from three apartments, store, and restaurant
to four apartments.

Violation(s):

Dwelling converted for more families is forbidden use.

Open space is insufficient.

Existing condition. Structure was purchased as four-family dwelling a
year ago. Occupancy is compatible with neighborhood residential
properties. Recommend approval.

VOTED: In reference to petition Z-6638, Robert Deeb,
269-271 Shawmut Avenue, Boston, for a forbidden
use and a variance for change of occupancy from
three apartments, retail store, and restaurant
to four apartments in an apartment (H-3) dis-
trict, the Boston Redevelopment Authority recom-
mends approval. Condition is existing. Struc-
ture was purchased as four-family dwelling a
year ago. Occupancy is compatible with neigh-
borhood residential properties. Any exterior
changes should be submitted to the Authority
for design review approval.



Z-6638
269-271 SHAWMUT AVE
BOS.

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6642

Dorothy Leyden, Trustee
310 Spring Street, West Roxbury
at Billings Street

2½-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 _____ manufacturing _____

Purpose: change occupancy from one-family dwelling and retail to offices and store.

Violation(s):

Change in nonconforming use.

In August, Authority recommended denial of similar petition; Board of Appeal denied without prejudice.

Office-commercial encroachment into this predominantly single-family neighborhood is inappropriate, undesirable, and contrary to conditions required for approval. Abutters still express strong opposition. Recommend denial.

VOTED: In reference to petition Z-6642, Dorothy Leyden, Trustee, Dorothy Leyden Trust, 310 Spring Street, West Roxbury, for change in nonconforming use for change of occupancy from one-family and retail to office and store in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Office-commercial encroachment into this predominantly single-family neighborhood is inappropriate, undesirable, and contrary to conditions required for approval. Abutters still express strong opposition.



Z-6642
310 SPRING ST.
(W.R.)

Board of Appeal Referrals 12/8/83

Hearing: 12/13/83

Z-6645

Paul D. Slater, Trustee, The Astor Trust
176H-176 Tremont Street, Boston
near Avery Street

Vacant land

District(s):	apartment_____	general business	B-10	industrial	_____
	residential_____	local business	_____	waterfront	_____
	single family_____			manufacturing	_____

Purpose: parking for fee - 94 cars.

Violation(s):

Parking lot is conditional use.

Proposal is not in violation of Lafayette Place Parking Garage Tripartite Supplemental Agreement and has been approved by Air Pollution Control Commission. Recommend approval.

VOTED: In reference to petition Z-6645, Paul D. Slater, Trustee, 176H-176 Tremont Street, Boston, for conditional use to use premises for parking for fee of 94 cars in a general business (B-10) district, the Boston Redevelopment Authority recommends approval. Air Pollution Control Commission has granted permit.



FROG

SOLDIERS & SAILORS MONUMENT

FOUNTAIN

PARKMAN

BAND-
STAND

PARKING AUTHORITY

BOSTON

COMMON

CENTRAL
BURIAL
GROUND

MASON

PARKING AREA

MASON ST

AVERY

STREET

PARKING AREA

HAYWARD

PL

HARRISON

EXETER

PHILLIPS
SQ

ESSEX

STREET

BOYLSTON SQ

PARKING
AREA

LA GRANGE

STREET

BEACH

STREET

Z-6645

176 H 176 TREMONT ST
BOS.

DORE

STREET

WASHINGTON

HARVARD

HARRISON

CARVER

WARREN

SEWER PL

TREMONT

